

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GORDON STOCKENHAUER #1642,

Plaintiff,

Case No. 97-70619

v.

HONORABLE DENISE PAGE HOOD

JAMES SIGMAN, et al.,

Defendants.

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ORDER DENYING MOTION FOR RECONSIDERATION

I. BACKGROUND

This matter is before the Court on Plaintiff's Motion for Reconsideration filed on December 12, 2005 and his Motion for a Copy of the Jury Trial Transcript filed on December 12, 2005.

In his Motion for Reconsideration, Plaintiff asks this Court to reconsider its decision to deny his Motion for Relief from Judgment because the Defendants and defense counsel allegedly committed perjury that deprived him of a fair trial.

In his Motion for a Copy of the Jury Trial Transcript, Plaintiff asks this Court to provide him with a copy of the jury trial transcript. He alleges that he will be able to prove his allegations if he has a copy of the jury trial transcript.

For the reasons stated herein, this Court DENIES Plaintiff's Motion for Reconsideration, and his Motion for a Copy of the Jury Trial Transcript.

In its September 24, 2005 Memorandum Opinion and Order, this Court denied Plaintiff's Motion for Relief from Judgment. The Plaintiff moved this Court for reconsideration of its September 24, 2005 Memorandum Opinion and Order which denied Plaintiff's Motion for Relief from Judgment.

In analyzing motions for reconsideration, the Court is guided by the standard of review set forth in the Local Rules of the United States District Court for the Eastern District of Michigan, which provides that:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

L.R. 7.1(g)(3).

This Court has discretion to grant or deny Plaintiff's Motion for Reconsideration. *Sommer v. Davis*, 317 F.3d 686, 691 (6th Cir. 2003).

Plaintiff's allegations that the Defendants and defense counsel committed perjury that denied him a fair trial were already presented in his Motion for Relief from Judgment. In Plaintiff's Motion for Reconsideration, he restates these allegations without offering any new evidence or specificity.

Accordingly,

IT IS ORDERED that the Plaintiff's Motion for Reconsideration [**Docket No. 327, filed December 12, 2005**] is DENIED.

IT IS FURTHER ORDERED that Motion for a Copy of the Jury Trial Transcript [**Docket No. 328, filed December 12, 2005**] is DENIED.

s/ DENISE PAGE HOOD
DENISE PAGE HOOD
United States District Judge

DATED: August 16, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 16, 2006, by electronic and/or ordinary mail.

s/ William F. Lewis
Case Manager